February 24 to February 28, 1891,

THOMAS HUGHES.

TERRITORIAL AUDITOR

TO WHOM ISSUED AND FOR WHAT PURPOSE. GENERAL FUND No. 39. Foster S. Dennis, Chairman In-

vestigating Committee, House bill No. 53, Sixteenth Legisla-OFFICE TERRITORIAL AUDITOR, PRICENIX, A. T., February 28, 1891. THOMAS HUGHES,

During the Month Ending March 31, 1891

To WHOM ISSUED AND FOR WHAT PURPOSE. AMOUNT. No. 40. REPUBLICAN Publishing Company, for printing 2000 pamphiets for the Commissioner of

Immigration .... . \$500 OC No. 41. Board of Directors Insane Asylum, claim No. 12 for water mo-No. 42. Board of Directors Insane Asylum, fruit trees for improve-

309 73 lum, expenses of Insane Asylum for February 1891, Revised Statutes 2483.... No. 44 Citizen Publishing Company,

stationery for Live Stock and Suntary Commission. .. No. 45. Clark Churchi l, Attorney General, salary to March 12, 1891... 399 9 John W. Dorrington, subscription to Territiorial Library.

No. 47, J. H. Behan, subdivision No. 19, appropriation 1891 .... Governor John N. Irwin, for extra clerk hire, subdivision 8,

Appropriation 1891..... No. 50. N. O. Murphy, for indexing laws, etc., subdivision No. 15, appropriation 1891 .... W. J. Mulvenon, for services rendered, subdivision No. 16, ap-

240 00

124 00

propriation 1891. Prescott Courier, for pavers furnished Legislature, subdivision No. 17, appropriation 1891.... Tueson Daily Star, for papers

furnished Legislature, subdivision No. 17, appropriation 1891. Phoenix Gazette, papers furnished Legislature, subdivision No. 17, appropriation 1891.

Arizona REPUBLICAN, for papers furnished Legislature, subdividon No. 17, appropriation 1891. Phoenix Herald, for papers fur-nished Legislature, subdivision No. 17, appropriation 1891.

Tucson Citizen, for papers furnished Legislature, subdivision No. 17, appropriation 1891..... No. 58. Florence Enterprise, for papers furnished Legislature, subdivi sion No. 17, appropriation 1891

torial Library, subdivision No. 18, appropriation 1891 No. 60, 61, 62, 63, 64 and 65 void and can-

No. 66 Governor John N. Irwin, for storage of arms, etc., subdivi sion No. 22, appropriation 1891. No. 67. C. S. Mott, for services as Legis lator, subdivision No. 25, appro-

priation 1891 ... ohn H. Marion, for printing Normal School, Auditor's and Commissioner Immigration re ports, subdivision No. 23, ap-

Fiorence Enterprise, for printing subdivision No. 26, appropria tion 1891 .. No. 70. Phoenix Gazette, for printing re-

ports of Asylum, Prison, Board f Regents, Adjutant General, Territorial Geologist and other printing, subdivision No. 27, apriation 1891 ....

neson Daily Star, for printing Governor's Message, subdivi don No. 28, appropriation 1801. 350 00 St. George Creaghe, for services appropriation 1891

No. 74. Board of Supervisors of Apache county, for relief of We settlement, subdivision No. 33,

H Marion, for subscription to Territorial Library, subdivi sion No. 31, appropriation 1891. Charles M. Strauss, for revision of Journals, etc., subdivision No. 35, appropriation 1891 .....

No. 77, C. F Hoff, for revision of Jour nals, etc., subdivision No. 36, appropriation 1891

A pache county, for moneys overpaid Territorial Treasurer, sub

division No. 37, appropriation No. 79. Cochise county, for moneys overpaid Territorial Treasurer, sub

division No. 37 appropriation No. 80. Maricopa county, for moneys overpaid Territorial Treasurer. subdivision No. 37, appropria tion 1891 ...

No. 81. Mohave county, for moneys overpaid Territorial Treasurer subdivision No. 37, appropriation

No. 82. Pima county, for moneys overpaid Territorial Treasurer, sub-division No. 37, appropriation No. 83. Pinal county, for moneys over-

paid Territorial Treasurer, subdivision No. 37, appropriation No. 84. Yuma county, for moneys overpaid Territorial Treasurer, sub-

division No. 37, appropriation No. 85. Graham county, for moneys overpaid Territorial Treasurer, subdivision No. 37, appropria-

2054 6 tion 1891..... county, for moneys, overpaid Territorial Treasurer, subdivision No. 37, appropriation

No. 87. Arizona Gazette, for publishing roceedings Sixteenth Legislature, subdivision No. 39, appro-No. 88. Phoenix Herald, for publishing

occedings Sixteenth Legisla ture, subdivision No. 39, approristion 1891 ...

Arizona REPUBLICAN, for publishing proceedings Sixteenth Legislature, subdivision No. 37,

No. 90. John Dobbs, pension, subdivision No. 41, appropriation 1891. 91. Void.

No. 92, Governor John N. Irwin, for of fice contingencies, subdivision No. 24, appropriation 1891 ..... 250 00 Thomas Hughes, Auditor, for postage, printing, etc., subdivi-sion No. 4, appropriation 1891 ... 250 00 Board Directors of the Insane Asylum, for improvements of Insane Asylum, subdivision No. 24, Act 62, Laws 1889

N. A. Morford, for printing Treasurer's report, subdivision No. 29, appropriation 1891 ..... William Caristy, Issued in lieu of Meador warrants Nos. 131 and 141, services 1889-90, account printing for Commissioner

ot Immigration.
Thomas Hughes, Auditor, for 500 00 salary first quarter of 1891 ..... 250 00 John Y. T. Smith, Treasurer, for salary first quarter 1891..... 250 00 H. C. Gooding, Chief Justice, Territorial salary first quarter 225 00

Richard E. Sloan, Associate Jus tice, Territorial salary first quarter 1891. J. H. Kibbey, Associate Justice, Territorial salary first quarter

No. 102. T. D. Hammond, Territorial Librarian, for pay of Indiana repor s, subdivision 38, appropriation 1 91 ..... No. 103. S. S. Patterson, reward for Baker murderers, subdivision 3, appropriation 1859, ..... INSANE ASYLUM FUND.

No. 3. Board of Directors Insane Asylum, account estimate for February, 1891 .... Board of Directors Insane Asylum, account estimate for March, 1:91 ....

NORMAL SCHOOL FUND. No. 58 D. A. keest, Principal, certificate No. 1 to, salary 200 00 No. 50. E. L. Storment, teacher, certifi-cate No. 107, salary. 100 Oc Jose Aratza, for removing trees, certificate No. 10s. .

George K. Miller, certificate No. 109 for labor . 100 00 No. 62, Louis F. Corbill, certificate No. 110, janitor Tuomas Corbill, certificate No. No. 64. J. H. Root, certificate No. 112, certificates Nos. 113 and 115, per diem and printing ...

No. 66, Fenn J. Hart, Board of Educa-50 00 tion, certificate No. 114, per No. 67, A. J. Peters, Board of Education, 75 00 certificate No. 115, perdiem and mileage. TERRITORIAL SCHOOL FUND. No. 11. Citizen Publishing Company,

for printing 100 yets scoool instructions, R. S. 1491 .. .. No. 12. George W. Cheyney, Superinten-dent Public Instruction, for distributing School Laws, subdivision 12, appropriation 1891.

No. 11. F. H. Goodwin, Regent, claims 99 and 100, per diem and services as superintendent of construction ....

No. 12. Hughes, Stevens & Co., claim 100, assigned by F. H. Goodwin No. 13. M. J. Sullivan, claim 110, coatract school of mines. No. 14. S. M. Franklin, claim 101, for legal services... No. 15. M. Drachman, claim 102, for car-No. 16. M. P. Truman, Regent, claim 103 per diem

No. 17. S. M. Franklin, Regent, claim 104, per diem ... No. 18, Robert T. Millar, Regent, claim 105, per diem ... No. 19. Geo. W. Cheyney, Regent, claim 105, per diem and mileage

No. 20. J. M. Ormsby, Regent, claim 107, per diem No. 21. C. Lasinsky, claim 103, rent Re-No. 22. M. J. Sullivan, claim 111, labor and material for school of mines.

AGRICULTURAL COLLEGE FUND. No. 1. J. M. Ormsby, Secretary Board Regents, claim 9, Agricultural College Fund....... 5000 00

CAPITOL FUND. No. 10. Geo. H. Smith, Superintendent, salary for February, 1891 ..... OFFICE TERRITORIAL AUDITOR, PHONIX, A. T., Maich 31, 1891. I certify the foregoing list to be correct.

BANK SWINDLER ARRESTED & Subject of Her British Majesty Likely to Don Penitentiary Stripes

THOMAS HUTHES,

NEW YORK, June 10 .- A clever English rogue, who has been swindling banks in the west and south by meanof logus drafts on an imaginary bank in Mexico, was arrested here today. He registered as Ernest Allain Cheiriton, and in his pockets were a number of cards on which were engraved the following: "E. Almin 'Kismet,' turf correspondent." The police say he has been employed on various newspapers throughout the country, and has swindled old people right and left. The direct cause of his arrest was a telegram from Tampa, Fla , stating that he had windled the First National Bank of that place out of \$800. In his pockets were a number of Bogus drafts and letters from the "Anglo-Mexican Bank," He made no denial of his guilt and at the Jefferson Market Police Court, he was remanded to enable the police to communicate with the authorities of

Tampa. He probably will be sent to Florida for trial.

Want to Kill Him. New York, June 10 .- The London correspondent of the New York Herald declares that there is a woman in the now famous baccarat case. Concerning tiordon Cumming he says: "In point of character it is stated that he is a ladies' man and that he is given to boasting of his successes. He is said to have boasted of his success with a member of the household in which he once played baccarat. This came to the ears of the household, and its members determined in revenge to kill him in cold blood, for that is what the charge of cheating at cards amounts to. They may not succeed, but they will make a great effort." ome color is given to this statement from the fact that the members of the family in question, alone detected the unfair play, but most desperate chances were taken to accuse unfairly a man like

Gordon Cumming. Another Negro Hanged.

FULTON, Ky., June 10.—Levi James, in Texas and this Territory. Dwellings colored, was hanged this morning for a murder committed in November, 1889.

In Texas and this Territory. Dwellings color 2.

At Minneapolis—Minneapolis 10, Milmark City—Ransas City—Rans

POKER TOM MURDERED

The Walker River Indians Excited.

A Chinaman Suspected of the Foul Deed.

He is Locked in the Bridgeport, Cal., Jail for Safety Against the Indians.

BRIDGEPORT, Cal., June 10 .- A few weeks ago, a Walker river Indian, of the Piute tribe, named Poker Tom, came here and purchased some calico and spent two nights gambling with a Chinaman here. The second night was spent at Ah Tia's store and that was the last seen of Tom. On the first of June a delegation of Indians from the Walker River reservation, and a body of other Indians came here looking for him and stated his horse had reached home without saddle or bridle. A search resulted in both being found together, with the calico purchased by Poker Tom, in some fields north of town. The river was fished for the body, but none recovered, though a reservation overcoat was found on the bank. The Indians thereupon summoned all the Indians of their neighborhood to hold a court, suspicion fixing itself upon Ah Tia as the cause of Tom's disappearance. The Chinaman denied having played cards with Poker Tom, but five of the Indians testified to having gone to Ah Tia's store on the night in question, and being unable to enter on account of the door being locked, looked through a nole in the window curtain and saw the Chinaman

and Indian Tom playing cards. The following day when court con-vened the wife of one of the Mono Indians, known as Lundy, testified Lundy Mono Tom and three other Indians were intoxicated on the day in question and that they must have killed Poker Tom. Although it was ascertained that Lundy had left his wife for some reason and that she had been consorting with Ah Tia, it was inferred by some that the latter had induced her to testify in

The Walker River Indians threatened to proceed against the Mono Lake In dians and stated they would have Sheriff Cody take Lundy and Mono Tom to the State Prison, while they were going to kill Old Jim, Lundy's father, and Tom's father, in order to get even. The Inlians, however, discovered that Ah Tia had been industriously scrubbing his floor, on which were certain stains, and on examination these were found to be ballet hole through one of the walls and stains covered by the new wall paper which Ah Tia declared were caused by ed ink. On Saturday, Poker Tom's body was discovered in the river by some Indians who were fishing. nead and arms had been cut off and also

the legs. The trunk was sawed open from the neck to the stomach. The Indians are greatly excited and Ah Tia was hastily conveyed to the jail at his own request, to prevent their ynching him. The inquest has been held, and from the confession made by the Chinaman, the jury has brought in a verdict charging Ah Tia with the nurder. The case has aroused great interest here and the progress of the examination has been eargerly watched.

HE WOULD BE A MURDERER.

Boy Tries to Kill His Employers, But Accidentally Shoots Himself.

SAN LUIS OBISPO, June 13. - This afternoon on Truman Andrews' ranch a boy named Charles Lee, employed by the Andrews' Brothers, got possession of a Winchester rifle and shotgun and when the Andrews came home to dinner he opened fire on them with the rifle. They took refuge fences or buildings and the boy fired away at them whenever they showed themselves After exhausting his rifle cartridges he took o the shotgun, and while chasing Fred Andrews with it he tripped and fell and the gun somehow was discharged blowing the back of his head off. The boy was about 16 years of age, and was sent here from San Francisco Boys' and Girls' Aid Society. The father s a carpenter in San Francisco and is

working in a planing mill.

REDDING, Cal., June 10 .- The over and train, bound south, last night ran into an open cut twelve miles above Redding, near Copely, where the engine encountered a band of cattle and was thrown from the track. Engineer Gard ner and Fireman Montana miraculously scaped death, although the former was badiy bruised. Express Agent Tom Knight was slightly bruised in the head. wrecking train cleared the track.

In for Repairs. San Francisco, June 10 .- Among the arrivals last night was the steamer Cus cathan, the vessel of Salvador, which has come here for repairs.

LAND COURT JUDGES

The President Appoints the Judges-The

West Represented. WASHINGTON, June 10 .- President Harrison today appointed Leonard W. Colby, of Nebraska, Assistant Attorney General; Joseph Reed, of Iowa, Chief Justice of the Court of Private Land Claims; Wilbur F. Stone, of Colorado, Henry Sluss, of Kansas, Thomas Fuller of North Carolina, and William Murray. of Tennessee, Associate Justices. Mathew Reynolds, of Maryland, is appointed United States Attorney for the Court

Terrible Flood of Red River. AREMOUR, I. T., June 10 .- Fearful havor of life and property is occuring in Paul 7. the overflowed valleys of the Red river,

kinds destroyed. A flat boat containing several men is trying to rescue families who have been driven to the tops of houses by the flood. One house capsized and an occupant thereof was drowned. It is impossible now to ascertain the loss of life of the value of property destroyed. Many families are homeless. At Morris Park.

Morris Park, N. Y., June 10 .- The Five and one half forlongs-Dr. Wilcox

won, Arnold second, McCormick third. Won, Arnold second, McCormick third.
Time, 1:00%.
One mile and one-sixteenth—Major
Domo won, Masterlode second, Lilian
Walcott third. Time, 1:47%.
Seven furlongs—Eon won, Loantaka
second, Ambulance third. Time, 1:26%.

One mile and one-quarter—Foxford won, Montana second, Laurestan third. Time, 2:08%.

One mile—Admiral won. Dr. Hass-

bronck second, Ballyhoo third. Time, 1:41% Six furlongs-Merry Monarch won, Lester second, Temple third. Time,

At Chicago. CHICAGO, June 10 .- In the first race today Blue Varl won, Silverado second, Emma C. third. Time, 1:46.

Four furlongs-Arundel won, Billy Pinkerton second, Harry Weaver third. Eight and one-half furlongs-Joe Carter won, Frankie second, Sportsman third. Time, 2:00.

Six furlongs—Tenton won, Hagan second, Bob McCort third. Time, 1:1734. Six furlongs—Innocence won, Dan 11. econd, Climax third. Time 1:17.

## HENNESSEY BRIBERS.

MCCRISTAL FOUND GUILTY OF TAMPERING WITH THE JURY.

The Judge Overrules the Confession and O'Mailey is Thus Relieved-He Will be Tried on Another Charge.

New ORLEANS, June 10 .- The bribery cases of O'Malley and McCristal were placed on trial today. The jury was soon obtained and Tales-Juror McCabe told how McCristal called on him and told him he could make money with the case. In the evening McCristal saw him again and told McCabe he could make 500 by going on the jury and working for a mistrial or acquittal of the defendants. If he had the subpoens as talesjuror it would be worth \$10,000 to him.

McCabe refused the offer. The District Attorney wanted to introduce as evidence the confession made by McCristal while in jail, but Judge practice of polygamy in the Territories

Baker refused. The case was given to the jury at 4 and disapproving and annulling certain o'clock and a verdict of guilty was soon acts of the Legislative Assembly of the returned. The ruling of Judge Baker, ferritory of Utah." I call attention to returned. The ruling of Judge Baker, refusing to admit the confession of Me-Cristal, saves O'Mallev in this case, the only one connecting him directly with the bribery cases. The Court will now be forced to try him upon one of the over which Congress had exclusive jur other charges, if at all, and they are all

cases of several years ago. CharlesGranger, another of the Hennessy jury bribers, was tried today for attempting to bribe Alphonse Lebarie. The latter said the morning after he received the summons, Granger came to his house and offered him \$500 to go on the jury and "work it." Granger's defense was a general denial. After being out several nours the jury failed to

to agree and a mistrial was entered. Ministers Turned Out. PITTSBURG, June 10 .- This morning six young ministers of the Reformed Presbyterian Church, charged with heresy were expelled from the church by its synod, in session here.

## STATION GROUNDS.

PRESCOTT VOTES THE NORTH AND SOUTH ROAD

light of Way Through the Town and Depot Grounds-The Engineers Hard at Work and Pushing Toward Phoenix.

Yesterday the following telegram was eceived here;

PRESCOTT, Ariz., June 10, 1891. Right of way through Prescott and station grounds, as selected by Engineer Burns, guaran teed in writing to the Santa Fe, Prescott & Phoenix Railway Company, by the taxpayers, R. H. BURMISHER,

President of the Board of Trade. The road is becoming an assured fact. The people of Prescott, like those of Phoenix, are doing all they can for the road, and with such encouragement as this, it is hoped and expected that the road will be completed before very long -that is, within eighteen or twentyfour months. The proprietors of the road are in dead earnest and Phoenix is assured that the coveted north and south road will be built, and as soon as the Revised Statutes of 1878; and this possible. The sooner the better.

On the Diamond.

BROOKLYN, June 10 .- Brooklyn won. A close and exciting but wretchedlyplayed game today. Score: Cleveland Brookland 9. Batteries - Young and Zeimmer, Lovett and Dailey.

PHILADELPHIA, June 10 .- Mullane was exceedingly effective today, only three hits being made off his delivery. Score: Philadelphia 1. Cincinnati 3. -Thornton and Brown, Mullane and

At Washington-Washington 3, Athletic 2. At Cincinnati-Columbus game postponed. Rain.

At Denver-Denver 7. Omaha 6.

AMERICAN ASSOCIATION.

At Sioux City-Sioux City 6, St. Kansas City-Kansas City 7, LinOVERRULED.

Decision

Decisi

Demurrers to the Indictments.

Edmunds Act Applies to Arizona and Other Territories, but Not to District of Columbia.

These are the indictments found under the Edmunds act. The defendants ritories and places, unless there is some-claimed that the act only applied to thing in the smended act that restricts Utah and the other Territories were not included in it.

This is the decision:

It is claimed and urged with consider-

This is the decision:

ready this morning to announce my decision on these demurrers. The District Courts of the United Six furlongs — Ivanhoe won, Bob States have power conferred upon them Jacobs second, Fred Taral third. Time, in general terms over all offenses against the United States. I deem it unneces sary to cite any particular provision of the Constitution on the subject of the authority of Congress over the Terri-tories. That proposition has been too well established to need a citation from any particular clause in the Constitution. The acts of Congress have con-ferred on the District Courts of the Territories, jarisdiction conferred upon the District and Circuit Courts of the United States. So that I take it, the District Courts of the Territories have jurisdic tion of all offenses cognizable under the laws of the United States.

In these cases, some six or seven, l believe, where demurrers have been ile i, the point has been raised that the acts of Congress on the subject of polygamy, bigamy, adultery, fornication and unlawful cohabitation, do not apply to any of the Territories except the Ter itory of Utah; and that the object or purpose of these acts was to suppress he practice of polygamy in the Terri-tory of Utah; and that the acts which lo not relate directly to polygamy, are simply in aid of the act to suppress poly gamy in the Territory of Utah. irst act on the subject therefore, beomes very important for consideration. It was the act passed in 1862, and com-monly known, as the Edmunds Act; at my rate, it is the act of 1862. The title o the act of July 1, 1862, reads as follows "An act to punish and prevent the of the United States and other places, the fact that this title of the very first act shows the intention of Congress to make it apply to all the Territories of the United States, and all other places isdiction. The first few lines of the act. section 1, reads as follows, carrying out "Every person having a husband or wife living, who shall marry any other person whether married or single, in a Territory of the United States or other place over which the United States have exclusive jurisliction, shall, except in cases specified in the proviso of this section, udged guilty of bigamy," etc. I call attention to the fact, that this the first ection of the original act makes provi sion for the punishment of polygamy in Territory of the United States or other laces over which the United States

nave exclusive jurisdiction. It is quite clear to my mind that it Congress had intended to limit the peration of the original act to the Territory of Utah, it never would have used this language. It uses the plural ber in regard to Territories, and it does not stop there, but goes on and expressly provides that the act shall extend no only over the Territories, but other places over which the United States have exclusive jurisdiction. If Con gress had intended to limit the opera tion of that act to the Territory of Utah and had used the words, "Territories o the United States" through inadvert ance, it certainly would not have gone further and extended the act "over al other places under the exclusive juris liction of the United States." In short he title of the act uses the words itories of the United States," and the irst section of the act uses the language In a Territory of the United States of other place over which the United States have exclusive jurisdiction."

This act of 1862 is carried forward into the Revised Statutes of 1878, and the section which I have just quoted is copied into and becomes a part of the Revised Statutes of 1878.

On March 22, 1882, we find an act o Congress, the title of which is as follows: 'An act to amend section 5352, of the Revised Statutes of the United States n reference to bigamy, and for other purposes." This section, 5352, is section of the act of 1862, carried forward into act of March 22, 1882, amends the act of 1862. If the act of 1862 was intended to apply to all the Territories and "other laces within the exclusive jurisdiction of Congress," the amendment would also apply to the same Territories and other laces, that the origional act did, unless here is something in the amendmen to cut down and restrict its operation The act of March 22, 1882, has this tanguage: "Every person who has a husband and wife living, who in a Territory or other place over which the United States have exclusive jurisdiction, hereafter marries another. The same general provision exists in the general act of March 22, 1882, as was used in the act of 1862: "In a Territory or other place over which the United States have exclusive jurisdiction." So places over which Congress had exclu-sive jurisdiction," carried forward into the Revised Statutes of 1878, and again in the code of March 22, 1882, without restriction to the Territory of Utah. section 3 of the act of 1882 reads as fol-"If any male person in a Terri- States in the States, and the further ritory or other place over which the United States have exclusive jurisdic-

tion, hereinafter cohabits with more than one woman," etc., using the lan-guage "in a Territory or other place over which the United States has exclusive jurisdiction." Can it be said this lan-

This brings us down to the act of 1887, upon which these indictments are based. The act of March 3, 1887, is en-titled as follows: "An act to amend an act entitled, an act to amend section 5352, of the Revised Statutes of the United States, in reference to bigamy, and for other purposes. Approved March 22, 1882. "This act, then, is an amendment of the original section 1, of the act of 1862, carried forward into the

Chief Justice Gooding of the Supreme Court yesterday rendered his decision in the matter of the demurrers to the nine indictments for unlawful cohabitation.

Revised Statutes of 1878, and known as section 5352. As I said before, it being an amendment to a section which extended over all the Territories of the United States and all places over which Congress had exclusive jurisdiction, the amended act extends over the same Ter-

This is the decision:

I will say that I have examined the act of 1887, and read the whole act for grounds of the demurrers so far as I the purpose of ascertaining whether it have had time to devote to it, and I am was the intention of Congress that it ready this morning to announce my should extend to all the Territories or be limited to the Territory of Utah; and that because nearly every section of the act expressly names the Territory of Utah, we must infer that the other sections, which do not express and name the Territory of Utah, are intended to apply to the Territory of Utah, and not to the Territories generally. There are some provisions in this very act that forbid that idea. Taking the act as a whole and reading it casually, one might infer that it was the intention of Congress to restrict this act to the Territory of Utah, inasmuch as it so often men-tions the Territory of Utah in the different sections. But as I have said before, it is merely an amendment of a section that has been carried forward from the act of 1862; and there are some sections in this very amendment itself that pre-iudes the idea that the act of 1837 was to be restricted to the Territory of Utah. I call attention to the following, I read

now, a portion of section 9 of this act of March 3, 1857: Every ceremony of marriage, or in the nature of a marriage ceremony, of any kind, in any of the Territories of the United States, whether either or both or more parties to such ceremony be lawfully competent to be subjects or such marriage," etc. Now this is in the act of 1887, the very act in controversy. and in this section the language is used "In any of the Territories of the United States," showing that this act of 1887 was not intended to apply solely to the ferritory of Utah, but that it was instricted, as expressed in the act, to the

Cerritory of Utah. The decision of the Supreme Court, of he District of Columbia, has been cited as an authority to the effect that these lifferent acts of Congress are to apply alone to the Territory of Utah and not to the Territories generally or to places ander the exclusive jurisdiction of gress. It is well known that the District of Columbia is under the exclusive jurisdiction of Congress, and the Supreme Court of that district in the case decided by it held that this act did not apply to the District of Columbia. If it pped right there it would be an authority directly in point. But is is well known that the District of Columbia has special code of its own enacted by Congress. The Supreme Court of the District of Columbia in that case decided that because Congress had enacted a body of laws for the District of Columbis, and habitually, if not universally enacted laws for the District of Columbia separate and distinct from other laws, the inference was that this law

was not intended to apply to the District of Columbia. There is dicts in the decision both vays. In one part of the decision the court uses language which would indicate it was of the opinion that the act only applied to the Territory of Utah. There is dicta in another part of the de-cision which would indicate that the court understood that it applied to the Territories generally, but did not apply to the District of Columbia. Of course, dicts of that character does not hav very much weight. The court had in its mind, I am satisfied, but one point, and hat was: Does this act apply to the District of Columbia? and was not careful about its language in regard to the application of the act to the "Terriories" or other places "under the ex clusive jurisdiction of the United

I am of the opinion that the original act and the amendments to the original act, apply to the Territories of the United States and to all places under the exclusive jurisdiction of the United States, except the District of Columbia. and that it does not apply to the District of Columbia for the reason assigned in

the case referred to It is said that the Territories legislate for the Territories and exercise a dele gated authority, and have enacted laws also upon this subject, and that the Territory of Arizona has done so. It is urged that the same reasoning would apply to the Territory of Arizona that applies to the District of Columbia. There is this difference, however: In that district Congress legislates directly. and has enacted a special code for the District. The Territories have delegated pow er to legislate ut on all rightful subects of legislation. But where Congres has passed an act for the Territories cannot be held that an act of the Territorial Legislature can set aside or supe cede an act of Congress. But even i the Supreme Court of the District of Columbia had expressly reached the conclusion (which it would have no right to reach) that the act did not apply to the Territories, except to the Territory of Utah, it would not be of sufficient weight to overcome the very di-rect language of these different acts where the word "Territories" is used. we find the policy of the statute of 1862 and the words "other places under the to apply to the "Territories and other exclusive jurisdiction of the United

States." I therefore reach the conclusion that the District Courts of the Territories the laws of the United States, the same as the District Courts of the United

## ENGLAND EXCITED

About the Decision in Baccarat Case.

Sir William Gordon Cumming Married.

The Assaulting of William Jacques More Alarming Than at First Reported.

LONDON, June 10 .- Echoes of the baccarat scandal suit fill the air. Solicitor-General Sir Edward Clarke is ill and thoroughly exhausted today. The denunciation of the Prince of Wales by the various newspapers has caused a tremendous sensation throughout Great Britain and it is freely asserted that the revelations made during the trial have done more to endanger the imperial monarchy than any event which has taken place for many years past. Queen Victoria does not attempt to conceal the fact that she is angry at every one connected with this shameful scandal, and the effects of her royal displeasure may be felt in several quarters. At Ascot yesterday the Prince of Wales was visibly nervous until after he had received a dispatch announcing General Wilson's victory, when he took no pains to con-

ceal the pleasure he felt at the verdict. Sir William Gordon Cumming was married this morning in Holy Trinity Church, Chelsea, to Miss Florence Gar-ner, daughter of the late Commodore William Garner, of New York City. Only twelve persons were present. The bride's father was drowned some years ago while yachting in New York bay. The catastrophy occasioned national regret at such seemingly exquisite mis-

In an interview today Sir William said he had nothing to add to what he said in the witness box. When the verdict was pronounced against him Sir William again offered to concel his engagement to Miss Garner, but she, be-lieving in his innocence, would not hear of such a thing, and insisted that the marriage take place today. It is expected that Sir William and wife will visit the

United States in the autumn. MORE SERIOUS THAN REPORTED.

William Jacques Writes to the Boston "Herald" of the Attack on Him. Bosrov, June 10 .- The recent attack upon William Jacques, of Newton, Mass., at Florence, Italy, by a mob of the United States, except where re- Italians is a more serious affair than as shown by the meagre details cabled to this country. When Jacques received the American paners containing story of the attack and saw that the serious nature of the case was not comprehended, he wrote to the Herald an ac among other things, the attack made on him was by a mob who knew he was an American, and who threatened to lynch him. Had it had not been for a coachman who drove through the crowd he killed. Continuing he said: "I have learned that many arrests have been esses, no doubt a conviction and punishment will follow. Several prominent Italians, residents of Florence, called on

ne and expressed their regrets."

Cleveland in a Bad Way, WASHINGTON, June 10 .- The revolt against Mr. Clevelund among the Demcrats of the South and west, is assuming such formidable proportions that it begins to look as though he will be divested of all political influence by the time the ational Convention meets. It has been asserted by some of his indiscreet friends hat if he could not get the nomination himself, he could prevent Mr. Hill from securing that honor. But from he way affairs are now running, it may turn out that Mr. Cleveland will be without following or influence in the

Another Injunction Asked for. Boston, June 10 .- The St. Louis and San Francisco first preferred stockholders' committee entered suit in the Safolk county Supreme Court to enjoin the St. Louis and San Francisco Railroad company from issning their proposed 50,000,000) general mortage bonds ess the same are made subject to the rights of holders of the first preferred

Disastrous Forest Fires Salisbury, N. B., June 10 .- Forest fires are raging in the Province, especially on the northern branch of the Inter-Colonial railroad. Kent Junction has been wiped out and Welford and Coalbranch are in danger. Every available

man is fighting fire.

Osage River Flood. VERSAILLES, Mo., June 10 .- Osage river is higher than for many years. The bottom lands and wheat fields are flooded. Great loss must result from the destruction of crops and the washng away of railroad ties.

FREDERICKSBURG, Va., June 10 .- The town is profusely decorated today with bunting in honor of Memorial Day and

the unveiling of the monument to the Confederate dead. There are thousands of visitors here. Sir John MacDonald's Funeral. OTTAWA, June 10 .- The funeral of Sir ohn MacDonald occurred today. The

cortege was the largest ever seen in District Court Proceedings. The jurors were excused till today at

A. M. John LeBerge vs. O. L. Gibbs et al. was on trial yesterday.

William Doheney's trial for shooting and killing his father is set for today at

9 A. M. Sheriff Montgomery was busy yesterday subpensing thirty-six extra jurors ordered, from which to select au acceptable trial jury.